

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

FILED  
JAMES BONINI  
CLERK

07 FEB 12 PM 1:34

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KEVIN W. GREGOR,

SSN: XXX-XX-7988

Defendant,

and

Potbelly Sandwich Works

Garnishee.

CASE NO: CR-1-00-83

JUDGE BECKWITH

ANSWER OF THE GARNISHEE

\_\_\_\_\_, BEING DULY SWORN DEPOSES AND SAYS:  
(Affiant)

A. That he/she is the \_\_\_\_\_ (state official title, relationship, etc.) of  
Garnishee, Potbelly Sandwich Works.

B. On Feb. 2, 2007, Garnishee was served with the Writ of Continuing  
Garnishment. As of this date of service Garnishee has custody, control or possession of  
earnings because the Debtor is or was in my/our employ. ☒ Yes ☐ No. (If the  
answer is yes, complete items 1 and 2 below):

1. Debtor's pay period is \_\_\_\_\_ weekly, ☒ bi-weekly, \_\_\_\_\_ semi-monthly,  
\_\_\_\_\_ monthly. Enter the date the present pay period began. 1/29/07 ("Present"  
means the pay period in which this order and notice of garnishment were served)  
Enter the date the above pay period ends. 2/11/07

2. The amount of the Debtor's net wages are:

a) Gross Pay	<u>1826.92</u>	
b) Federal Income Tax	<u>112.12</u>	
c) F.I.C.A. Income Tax	<u>139.77</u>	<u>49.15</u> Local 38.37
d) State Income Tax	<u>49.15</u>	
e) Total of tax withholdings		<u>339.41</u>
f) Net Wages ( total is (a) less total of (e))		<u>1487.51</u>

Debtor also has a 401-K deduction of 182.69

C. Have there been, or are there currently, other garnishments in effect? (Including, but not limited to, child support and alimony.) \_\_\_\_\_ Yes ☒ No.

If the answer is yes, describe below.

\_\_\_\_\_  
\_\_\_\_\_

D. In addition to earnings, the Garnishee has custody, control or possession of non-earnings property (such as commissions, bank accounts, stocks, ect.) in which the Debtor maintains an interest. \_\_\_\_\_ Yes \_\_\_\_\_ No (If the answer is yes, describe below)

	<u>Description of Property</u>	<u>Approximate Value</u>	<u>Description of Debtor's Interest in Property</u>
1.	<u>Bonus</u>	_____	<u>(Monthly bonus varies)</u>
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

E. Garnishee anticipates owing to the Debtor in the future, the following amounts (non-earnings only):

	<u>Amount</u>	<u>Estimate Date or Period Due</u>	
1.	\$ _____	<u>2/16/07</u>	
2.	\$ _____	<u>3/16/07</u>	
3.	\$ _____	<u>4/27/07</u>	
4.	\$ _____	<u>5/25/07</u>	Bonus amts. vary

F. Complete items 1 through 3 below, if applicable:

1. The Garnishee makes the following claim of exemption on the part of Debtor as indicated on the Claim for Exemption Form.

N/A

2. The Garnishee has the following objections, defenses or set-offs to Plaintiff's right to apply Garnishee's indebtedness to Debtor upon Plaintiff's claim:

N/A

3. The Garnishee was not and is not indebted or under liability to the Debtor, and the Garnishee did not or does not have in his/her possession or control any property belonging to the Debtor, or in which the Garnishee has an interest; and is not liable as Garnishee in this action for the following reason(s):

Not indebted or under liability to the Debtor.  
Not liable

G. The Garnishee delivered or mailed a copy of the original of this Answer by first-class mail to:

(1) Clerk, U.S. District Court:

Clerk U.S. District Court  
U.S. Postoffice & Courthouse  
Rm #103  
Cincinnati, OH 45202

(2) the Debtor:

Kevin W. Gregor  
74 Rollingwood Dr  
Mainville, OH 45039

(3) the attorney for the United States:

Deborah F. Sanders  
Assistant United States Attorney  
Southern District of Ohio  
303 Marconi Boulevard, Suite 200  
Columbus, Ohio 43215-2401

Janice Woods - 312-475-3855  
Garnishee & Telephone Number

Subscribe and sworn to before me this 5 day of Feb., 2007.



Gayle A. Nikel  
Notary Public  
My Commission expires: 12/03/2010

**ATTACHMENT TO ANSWER OF GARNISHEE**

**The Original Answer must be mailed to:**

Clerk U.S. District Court  
U.S. Postoffice & Courthouse  
Rm #103  
Cincinnati, OH 45202

**and a copy of this Answer to:**

Deborah F. Sanders  
Assistant United States Attorney  
Southern District of Ohio  
303 Marconi Boulevard, Suite 200  
Columbus, Ohio 43215-2401

**and a copy of this Answer to the Defendant:**

Kevin W. Gregor  
74 Rollingwood Dr  
Mainville, OH 45039